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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/715,069	11/20/2000	Hermann Kuenzner	951/49289	8872

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EXAMINER	
VU, KIEU D	
ART UNIT	**PAPER NUMBER**
2173	

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/715,069	KUENZNER, HERMANN	
	Examiner	Art Unit	
	Kieu D. Vu	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 August 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8 and 15-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8 and 15-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. The indicated allowability of claims 1-8 is withdrawn in view of the newly discovered references to Cerruti (European Patent Application 0091887) and Hosaka et al ("Hosaka", USP 4551803). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 U.S.C. § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-8 and 15-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ghitea, Jr. et al ("Ghitea, Jr. ", U.S.P 5693876) and Menig et al ("Menig", U.S.P 6289332) and Hosaka et al ("Hosaka", USP 4551803).

Regarding claims 1 and 5, Ghitea, Jr. teaches a process and an indicator for visually display of fuel consumption in motor vehicles (see figures 5 and 7) with an electronically controllable display (72), where the display is controlled in such a manner that at least two sets of information (see figure 5, see lines 150 and 152 of figure 7), having an interrelated effect are displayed as a comparison by graphical representation (col 9, lines 49-62). Ghitea, Jr. differs from the claims in that Ghitea, Jr. does not teach that the two sets of information are displayed at the same place alternating with the same type of graphic. However, such feature is well known in the art. For example, Menig teaches an integrated message

display system for a vehicle wherein two sets of information are displayed at the same place alternating with the same type of graphics (for example, information on screen 910 and information on screen 908 are displayed on the same display screen 120 alternating in response to detection of predetermined vehicle condition) (see Fig. 9) (col 12, lines 24-47) with the advantage being to provide more messages (current message, function message, system failure message, or danger ahead message; col 2, lines 11-29) to the user on a single display screen . It would have been obvious to one of ordinary skill in the art, having the teaching of Ghitea, Jr. and Menig before him at the time the invention was made, to modify Ghitea, Jr. 's fuel consumption to include displaying two messages alternately at the same place with the same type of graphic (see screen 910 and 908 in Fig. 9) taught by Menig with the motivation being to make available more information at a single display screen (Menig; col 2, lines 11-29). Ghitea, Jr. and Menig do not teach that two sets of information relate to an amount of fuel in said motor vehicle and a distance range said motor vehicle can travel before exhausting said amount of fuel. However, such feature is known in the art as taught by Hosaka. Hosaka teaches that display device 366 alternatively shows vehicle travel distance and fuel consumption (Fig. 3) (col 8, lines 24-29) (col 9, lines 28-29). It would have been obvious to one of ordinary skill in the art, having the teaching of Ghitea, Jr., Menig, and Hosaka and before him at the time the invention was made, to include alternative showing vehicle travel distance and fuel consumption taught by Hosaka in the visual display taught by Ghitea, Jr. and Menig so that vehicle travel distance and fuel consumption can be graphically displayed to drivers in a single display screen.

The graphic display of vehicle travel distance and fuel consumption enables drivers to quickly and easily recognize these parameters at glance.

Regarding claims 2 and 6, Ghitea, Jr. teaches the use of bar graph (Fig. 5) to display information.

Regarding claims 3-4 and 7-8, Ghitea, Jr. teaches the use of different colors (color coding) to display different information. See col. 11, lines 54-59.

Regarding claims 15 and 19, Ghitea, Jr. teaches a process and an indicator for visually display of fuel consumption in motor vehicles (see figures 5 and 7) with an electronically controllable display (72), where the display is controlled in such a manner that at least two sets of information (see figure 5, see lines 150 and 152 of figure 7), having an interrelated effect are displayed as a comparison by graphical representation (col 9, lines 49-62). Ghitea, Jr. differs from the claims in that Ghitea, Jr. does not teach that the two sets of information are displayed at the same place alternating with the same type of graphic. However, such feature is well known in the art. For example, Menig teaches an integrated message display system for a vehicle wherein two sets of information are displayed at the same place alternating with the same type of graphics (for example, information on screen 910 and information on screen 908 are displayed on the same display screen 120 alternating in response to detection of predetermined vehicle condition) (see Fig. 9) (col 12, lines 24-47) with the advantage being to provide more messages (current message, function message, system failure message, or danger ahead message; col 2, lines 11-29) to the user on a single display screen . It would have been obvious to one of

ordinary skill in the art, having the teaching of Ghitea, Jr. and Menig before him at the time the invention was made, to modify Ghitea, Jr. 's fuel consumption to include displaying two messages alternately at the same place with the same type of graphic (see screen 910 and 908 in Fig. 9) taught by Menig with the motivation being to make available more information at a single display screen (Menig; col 2, lines 11-29). Ghitea, Jr. and Menig do not teach that two sets of information relate to a distance range said motor vehicle can travel before exhausting an amount of fuel in said motor vehicle and a distance said motor vehicle has to travel to reach an entered destination. However, such feature is known in the art as taught by Hosaka. Hosaka teaches that display device 366 alternatively shows vehicle travel distance and fuel consumption (Fig. 3) (col 8, lines 24-29) (col 9, lines 28-29). It would have been obvious to one of ordinary skill in the art, having the teaching of Ghitea, Jr., Menig, and Hosaka before him at the time the invention was made, to include alternative showing vehicle travel distance and fuel consumption taught by Hosaka in the visual display taught by Ghitea, Jr. and Menig so that vehicle travel distance and fuel consumption can be graphically displayed to drivers in a single display screen. The graphic display of vehicle travel distance and fuel consumption enables drivers to quickly and easily recognize these parameters at glance.

Regarding claims 16 and 20, Ghitea, Jr. teaches the use of bar graph (Fig. 5) to display information.

Regarding claims 17-18 and 21-22, Ghitea, Jr. teaches the use of different colors (color coding) to display different information. See col. 11, lines 54-59.

4. Claims 23-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ghitea, Jr. et al ("Ghitea, Jr. ", U.S.P 5693876) and Menig et al ("Menig", U.S.P 6289332) and Cerruti (European Patent Application 0091887).

Regarding claims 23 and 27, Ghitea, Jr. teaches a process and an indicator for visually display of fuel consumption in motor vehicles (see figures 5 and 7) with an electronically controllable display (72), where the display is controlled in such a manner that at least two sets of information (see figure 5, see lines 150 and 152 of figure 7), having an interrelated effect are displayed as a comparison by graphical representation (col 9, lines 49-62). Ghitea, Jr. differs from the claims in that Ghitea, Jr. does not teach that the two sets of information are displayed at the same place alternating with the same type of graphic. However, such feature is well known in the art. For example, Menig teaches an integrated message display system for a vehicle wherein two sets of information are displayed at the same place alternating with the same type of graphics (for example, information on screen 910 and information on screen 908 are displayed on the same display screen 120 alternating in response to detection of predetermined vehicle condition) (see Fig. 9) (col 12, lines 24-47) with the advantage being to provide more messages (current message, function message, system failure message, or danger ahead message; col 2, lines 11-29) to the user on a single display screen . It would have been obvious to one of ordinary skill in the art, having the teaching of Ghitea, Jr. and Menig before him at the time the invention was made, to modify Ghitea, Jr. 's fuel consumption to include displaying two messages alternately at the same place with the same

type of graphic (see screen 910 and 908 in Fig. 9) taught by Menig with the motivation being to make available more information at a single display screen (Menig; col 2, lines 11-29). Ghitea, Jr. and Menig do not teach that two sets of information relate to an average fuel consumption of said motor vehicle and a current fuel consumption of said motor vehicle. However, such feature is known in the art as taught by Cerruti. Cerruti teaches visual display zone 5 presents signals corresponding to the fuel consumption and average fuel consumption (page 3, lines 16-19). It would have been obvious to one of ordinary skill in the art, having the teaching of Ghitea, Jr., Menig, and Cerruti before him at the time the invention was made, to include alternative showing fuel consumption and average fuel consumption taught by Cerruti in the visual display taught by Ghitea, Jr. and Menig so that fuel consumption and average fuel consumption can be graphically displayed to drivers in a single display screen. The graphic display of fuel consumption and average fuel consumption enables drivers to quickly and easily recognize these parameters at glance.

Regarding claims 24 and 28, Ghitea, Jr. teaches the use of bar graph (Fig. 5) to display information.

Regarding claims 25-26 and 29-30, Ghitea, Jr. teaches the use of different colors (color coding) to display different information. See col. 11, lines 54-59.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4057.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached at 571-272-4048.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

571-273-8300

and / or:

571-273-4057 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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